

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ADOBE SYSTEMS INCORPORATED,

No. C-08-0933 MMC

Plaintiff,

**ORDER GRANTING PLAINTIFF'S  
MOTION FOR ENTRY OF DEFAULT  
JUDGMENT; VACATING HEARING**

v.

BEVERLY JOHNSON,

Defendant.

Before the Court is plaintiff Adobe Systems Incorporated's "Motion for Entry of Default Judgment," filed July 22, 2008. Defendant Beverly Johnson, although served with the motion, has not filed a response.

In its motion, plaintiff seeks an award of statutory damages and post-judgment interest thereon, as well as a permanent injunction to prohibit defendant from infringing plaintiff's copyrights and trademarks. (See Mot. at ii ¶ 6, 1:12-15). Having read and considered the papers filed in support of the motion, the Court finds the matter suitable for decision thereon, VACATES the hearing scheduled for October 3, 2008, and, for the reasons stated by plaintiff, GRANTS the motion, as follows:

1. Defendant is liable to plaintiff for damages in the amount of \$250,000, plus post-judgment interest thereon.

2. Defendant, her agents, servants, employees and all persons in active concert and participation with her who receive actual notice of this injunction are hereby restrained

1 and enjoined from infringing plaintiff's Copyrights, identified in Exhibit A attached hereto,  
2 and Trademarks, identified in Exhibit B attached hereto, either directly or contributorily in  
3 any manner, including generally, but not limited to, manufacturing, importing, distributing,  
4 advertising, selling and/or offering for sale any merchandise that features any of plaintiff's  
5 Copyrights and Trademarks, and, specifically, from:

6 a. Importing, manufacturing, distributing, advertising, selling and/or offering  
7 for sale unauthorized counterfeit products or any other unauthorized products that picture,  
8 reproduce, copy or use the likenesses of or bear a substantial similarity to any of plaintiff's  
9 Copyrights and Trademarks;

10 b. Importing, manufacturing, distributing, advertising, selling and/or offering  
11 for sale in connection thereto any unauthorized promotional materials, labels, packaging or  
12 containers that picture, reproduce, copy or use the likenesses of or bear a confusing  
13 similarity to any of plaintiff's Copyrights and Trademarks;

14 c. Engaging in any conduct that tends to falsely represent, or is likely to  
15 confuse, mislead or deceive purchasers, customers and/or members of the public into  
16 believing, that the actions of defendant, the products sold by defendant, or defendant  
17 herself is connected or affiliated with, or sponsored, approved or licensed by, plaintiff;  
18 and/or

19 d. Affixing, applying, annexing or using in connection with the importation,  
20 manufacture, distribution, advertising, sale and/or offer for sale or other use of any goods  
21 or services, a false description or representation, including words or other symbols, tending  
22 to falsely describe or represent such goods as being those of plaintiff.

23 3. The Clerk is directed to enter a final judgment and to close the case.

24 **IT IS SO ORDERED.**

25 Dated: September 23, 2008

  
MAXINE M. CHESNEY  
United States District Judge